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Honorable Philip M. Halpern
The Hon. Charles L. Brieant Jr.
Federal Building and United States Courthouse
300 Quarropas St.
White Plains, NY 10601-4150

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The parties shall file their *Cheeks* submission, including the settlement agreement, joint letter, and proposed order, by June 5, 2023.

The Clerk of Court is respectfully directed to terminate the motion sequence pending at Doc. 33.

SO ORDERED.



Philip M. Halpern
United States District Judge

Dated: White Plains, New York
May 5, 2023

Re: Bermudez et al v. Benenson et al 22-cv-1718 (PMH)

Your Honor,

Counsel have been discussing settlement during the pendency of these deadlines and there are terms on the table as of yesterday that each counsel and all but one litigant have accepted. One of the Plaintiffs is having some kind of phone issue and I have not been able to get in touch with him last night or this morning. I expect to be able to reach him within the next few days (I might have to make a house call).

I will be recommending the terms and expect him to accept.

While the parties hate to raise this issue so close to a deadline, counsel respectfully contend that it would be unfair for the Defendants to incur more hourly charges when there is an offer on the table that the attorneys are recommending.

The parties write jointly to request an additional week submit the pre-trial materials or a status letter advising the Court that the case has settled.

Respectfully Submitted,

/s/ Colin Mulholland, Esq.